THE HON'BLE SRI JUSTICE G.BIKSHAPATHY

AND

THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO.4575 of 2003

ORAL ORDER: (per G.B. J.,)

Even though notice is served on the respondent neither counter is filed nor present before this Court nor anybody represented him.

The Government challenged the order of the A.P. Administrative Tribunal (for short Tribunal) in O.A.No.2967 of 1999, date 24.12.2001.

The principal contention raised by the learned Government Pleader for Services-II is that the Tribunal has passed the order on the premise that no counter has been filed while in fact the counter has been filed on 14.12.2001 itself and the order was passed on 24.12.2002.

We are not inclined to resolve this dispute. Suffice it to say that no prejudice will be caused if the Government is given one more opportunity to place its contentions before the Tribunal.

Under these circumstances, the Writ Petition is allowed and the order of the Tribunal is set aside and the matter is remitted back to the Tribunal for fresh consideration. The Tribunal shall issue notices to the parties concerned and pass appropriate orders within a period of three (03) months from the date of receipt of a copy of this order. No costs.

(G.BIKSHAPATHY, J.,

5th September, 2003.

(M.NARAYANA REDDY, J.,)

SSR